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23 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

24 WHANGI MICHELLE BERRIAN,

25 Plaintiff,

v.
 26 C. R. BARD, INC. and BARD PERIPHERAL
 27 VASCULAR INC.,

28 Defendants.

Case No. 2:23-cv-01491-JCM-EJY

**STIPULATION AND ORDER TO
 EXTEND DISCOVERY DEADLINES**

29 Defendants C. R. Bard, Inc. and Bard Peripheral Vascular Inc. (collectively, “Defendants”)
 30 and Plaintiff Whangi Michelle Berrian (“Plaintiff”) stipulate to extend the remaining discovery
 31 deadlines by 60 days pursuant to LR IA 6-1 and LR 26-3. This is the parties’ fifth stipulation for
 32 extension of time to take discovery.

33 **I. Discovery completed to date.**

34 **A. Initial disclosures**

35 The parties exchanged their initial disclosures on February 1, 2024.

1 **B. Fact Sheets**

2 The parties produced discovery responses in the form of the agreed upon fact sheets on
3 March 7, 2024 (Plaintiff Fact Sheet) and April 8, 2024 (Defendant Fact Sheet). (*See* Doc. 23 at 3.)

4 **C. Depositions**

5 Defendants deposed the plaintiff on July 16, 2024, but reserved the right to reconvene
6 plaintiff's deposition following her testimony disclosing that she filed a disability claim in relation
7 to the subject device and had an upcoming doctor's appointment to evaluate the retained fractured
8 struts from the subject device. Defendants deposed the implanting physician on September 24,
9 2024.

10 **II. Remaining discovery.**

11 Defendants' expert disclosures and the depositions of Plaintiff's experts and Defendants'
12 experts need to be completed. Additionally, the updated deposition of Plaintiff needs to be taken,
13 as well as her treating cardiologist.

14 **III. Reasons that the remaining discovery will not be completed within the time limits set
15 by the discovery plan.**

16 The parties participated in a formal mediation conference on March 14, 2025 and have
17 remained in active negotiations since then. The parties are confident that this matter can be resolved
18 and wish to continue negotiating without incurring additional expenses relating to experts, expert
19 depositions and the remaining two fact depositions. The parties have worked very cooperatively
20 with each other to complete the necessary discovery remaining in this matter. In the event the parties
21 are unable to reach a settlement, they are requesting an additional 60 days to complete the remaining
22 discovery.

23 **IV. Proposed schedule for completing remaining discovery.**

Deadline	Current Date	Proposed New Date
Fact Discovery Cutoff	May 11, 2025	July 10, 2025
Plaintiff's Initial Expert Disclosures	Completed	NA
Defendants' Initial Expert Disclosures	May 29, 2025	July 28, 2025

1	Case-Specific Experts Deposed on Case-Specific Reports	June 29, 2025	August 28, 2025
2	Expert Discovery Cutoff	June 29, 2025	August 28, 2025
3	Dispositive Motions	August 1, 2025	September 30, 2025

IT IS SO STIPULATED.

Date: May 21, 2025

Date: May 21, 2025

SNELL & WILMER L.L.P.

By: /s/ Philip M. Busman

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By: /s/ Thomas W. Arbon

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*Attorneys for Plaintiff***ORDER****IT IS SO ORDERED.**


UNITED STATES MAGISTRATE JUDGE

DATED: May 21, 2025